

**AMERICAN BAR ASSOCIATION
HOUSE OF DELEGATES**

**2026 MIDYEAR MEETING
February 9, 2026**

DAILY JOURNAL

REPORT NO.	SUBMITTED BY	SHORT TITLE	ACTION
<u>11-1</u>	RULES AND CALENDAR COMMITTEE	Amends §45.2(a) of the Rules of Procedure of the House of Delegates to add the requirements that: 1) citations in resolutions and reports must be properly checked and have a lawful basis for use; and 2) for resolutions that have been previously submitted to Rules and Calendar, any known opponents must be consulted before the resolution may be resubmitted.	Adopted
<u>100</u>	STANDING COMMITTEE ON ETHICS AND PROFESSIONAL RESPONSIBILITY STANDING COMMITTEE ON PROFESSIONAL REGULATION	Supplants the current iteration of Model Rule of Professional Conduct 1.14 (Client with Diminished Capacity) with a significantly updated version of Rule 1.14 (Client with Decision Making Limitations) to align with changes in science, the law, and its practice.	Adopted

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200

SECTION OF CIVIL
RIGHTS AND SOCIAL
JUSTICE
NATIONAL ASIAN
PACIFIC AMERICAN
BAR ASSOCIATION
JUDICIAL DIVISION
SECTION OF
LITIGATION
DIVERSITY EQUITY
AND INCLUSION
CENTER
COALITION ON RACIAL
AND ETHNIC JUSTICE
COUNCIL FOR
DIVERSITY IN THE
EDUCATIONAL
PIPELINE
COMMISSION ON
HISPANIC LEGAL
RIGHTS AND
RESPONSIBILITIES
COMMISSION ON
SEXUAL
ORIENTATION AND
GENDER IDENTITY
STATE, LOCAL, AND
TRIBAL
GOVERNMENT LAW
SECTION
GOVERNMENT AND
PUBLIC SECTOR
LAWYERS DIVISION
STANDING COMMITTEE
ON PUBLIC
EDUCATION

Opposes threats and acts of violence, harassment, and intimidation directed at federal, state, local, administrative, tribal and territorial judges, court personnel, and their families; encourages bar associations, law schools, and civic organizations to promote public understanding of the role of an independent judiciary and to respond to attacks that threaten judicial independence and safety; urges all members of the legal profession, officials, and the media to refrain from rhetoric or actions that threaten or incite violence against the judiciary, court personnel, or their families; and urges parties who disagree with any court decision to follow the applicable appellate process.

Adopted

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300

SECTION OF LEGAL
EDUCATION AND
ADMISSIONS TO THE
BAR

Concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated February 2026 to Definition 8 (Distance Education Course), Standard 105 (Acquiescence for Substantive Change in Program or Structure), 306 (Distance Education), 309 (Academic Advising and Support), 404 (Responsibilities of Full-Time Faculty), 507 (Student Loan Programs), 508 (Student Support Services), Rule 15 (Sanctions and Penalties for Noncompliance with a Standard), 19 (Attendance at Council Meetings and Hearings), 24 (Application for Acquiescence in Substantive Change), 50 (Law School Disclosure Obligations), and 51 (Applications, Plans, Decisions, and Recommendations Made Public) of the *ABA Standards and Rules of Procedure for Approval of Law Schools*.

Concurred

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800

SECTION OF LEGAL
EDUCATION AND
ADMISSIONS TO THE
BAR

Concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated February 2026 to Definition 1 (Additional Location), 17 (Remedial Action), 18 (Rules), 19 (Section), 20 (Standards), 21 (University), Standard 102 (Provisional Approval), 313 (Degree Programs in Addition to J.D.), 403 (Instructional Role of Faculty), 509 (Required Disclosures), 511 (Verification of Student Identity), Rule 4 (Site Evaluation), 9 (Notice of Decisions, Findings, or Actions), 24 (Application for Acquiescence in Substantive Change), 25 (Substantive Changes Requiring a Reliable Plan), 29 (Teach-Out Plan), and 50 (Law School Disclosure Obligations) of the *ABA Standards and Rules of Procedure of Approval of Law Schools*.

Concurred

400

KANSAS BAR
ASSOCIATION

Urges state and territorial bar associations to conduct periodic economics of law surveys covering income, billing practices, receivables, and benefits, with demographic breakdowns where practicable.

Adopted

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| <u>401</u> | MARYLAND STATE BAR ASSOCIATION SECTION OF REAL PROPERTY TRUST AND ESTATE LAW | Urges the National Conference of Bar Examiners to include Trust and Estate Law as a Foundational Concept and Principle on the NextGen bar exam; and urges state, territorial, and tribal bar admission authorities to consider adding subjects such as Trust and Estate Law that are not covered as Foundational Concepts and Principles in the NextGen bar exam. | Adopted |
| <u>500</u> | SECTION OF INTELLECTUAL PROPERTY LAW SECTION OF ADMINISTRATIVE LAW AND REGULATORY PRACTICE | Supports that the Director of the U.S. Patent and Trademark Office may use his or her discretion to deny petitions for Inter Partes Review (IPR) and Post-Grant Review (PGR); and opposes the Director's exercise of discretionary denial authority in a manner that significantly impacts the substantive rights of participants in IPR and PGR proceedings. | Adopted |
| <u>501</u> | SECTION OF INTELLECTUAL PROPERTY LAW | Urges the continuation of the current fee system in which U.S. Patent and Trademark Office (USPTO) fees are based on the recovering costs of the operation of the USPTO; and opposes calculating patent office fees based on | Adopted |

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a percentage of, or in proportion to, the economic “value” of a patent, whether at issuance, maintenance, or otherwise.

<u>502</u>	INTERNATIONAL LAW SECTION	Urges the United States, all other nations, the United Nations, and the African Union to take action to bring to justice and hold accountable those responsible for atrocities against civilians committed in Ethiopian territory.	Adopted
<u>503</u>	SECTION OF DISPUTE RESOLUTION	Urges all states to adopt the Organizational Ombuds Practices Act.	Adopted
<u>504</u>	YOUNG LAWYERS DIVISION COMMISSION ON DISABILITY RIGHTS COMMISSION ON RACIAL AND ETHNIC DIVERSITY IN THE PROFESSION GOVERNMENT AND PUBLIC SECTOR LAWYERS DIVISION	Urges the Executive Branch and loan servicers to resume accepting and processing student loan forgiveness applications, periodic employment and income recertifications, and repayment plan change requests for all borrowers engaged in eligible government and public sector employment.	Adopted

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505

SECTION OF CIVIL RIGHTS AND SOCIAL JUSTICE
COALITION ON RACIAL AND ETHNIC JUSTICE
COUNCIL FOR DIVERSITY IN THE EDUCATIONAL PIPELINE
DIVERSITY, EQUITY AND INCLUSION CENTER
COMMISSION ON HISPANIC LEGAL RIGHTS AND RESPONSIBILITIES
COMMISSION ON SEXUAL ORIENTATION AND GENDER IDENTITY
STATE, LOCAL, AND TRIBAL GOVERNMENT LAW SECTION
GOVERNMENT AND PUBLIC SECTOR LAWYERS DIVISION
COMMISSION ON IMMIGRATION
SECTION OF DISPUTE RESOLUTION
STANDING COMMITTEE ON PUBLIC EDUCATION

Supports a series of positions addressing past, present, and future challenges to the federal Public Service Loan Forgiveness program.

Adopted
As Revised¹

¹ See attached.

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506

SECTION OF CIVIL RIGHTS AND SOCIAL JUSTICE
CRIMINAL JUSTICE SECTION
COMMISSION ON IMMIGRATION DIVERSITY, EQUITY, AND INCLUSION CENTER
STATE, LOCAL, AND TRIBAL GOVERNMENT LAW SECTION
COALITION ON RACIAL AND ETHNIC JUSTICE
COUNCIL FOR DIVERSITY IN THE EDUCATIONAL PIPELINE
COMMISSION ON HISPANIC LEGAL RIGHTS AND RESPONSIBILITIES
COMMISSION ON SEXUAL ORIENTATION AND GENDER IDENTITY
NEW YORK COUNTY BAR ASSOCIATION
GOVERNMENT AND PUBLIC SECTOR LAWYERS DIVISION

Urges the federal government to address domestic issues through local and civilian law enforcement agencies rather than military options; urges that the use of the federalized National Guard or similar forces be restricted to exceptional circumstances; and urges that policing duties be carried out only by personnel properly trained in relevant law enforcement responsibilities.

Adopted

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<u>507</u>	SECTION OF CIVIL RIGHTS AND SOCIAL JUSTICE COMMISSION ON DISABILITY RIGHTS COMMISSION ON LAW & AGING COALITION ON RACIAL AND ETHNIC JUSTICE COUNCIL FOR DIVERSITY IN THE EDUCATIONAL PIPELINE COMMISSION ON HISPANIC LEGAL RIGHTS AND RESPONSIBILITIES COMMISSION ON SEXUAL ORIENTATION AND GENDER IDENTITY DIVERSITY, EQUITY, AND INCLUSION CENTER	Opposes legislation, regulations, policies and practice that reduce Medicaid funding, denies or terminates enrollment of eligible individuals, or restricts coverage in a manner inconsistent with the Medicaid statute's purpose and requirements; urges governments to strengthen due process protections and promote transparency and accountability in the administration of Medicaid; and supports educating legal professionals and communities about Medicaid and the legal rights of individuals concerning eligibility for and enrollment in Medicaid.	Adopted
<u>508</u>	SECTION OF CIVIL RIGHTS AND SOCIAL JUSTICE COMMISSION ON DOMESTIC & SEXUAL VIOLENCE COMMISSION ON WOMEN IN THE PROFESSION COMMISSION ON DISABILITY RIGHTS COALITION ON RACIAL AND ETHNIC JUSTICE COUNCIL FOR DIVERSITY IN THE EDUCATIONAL	Urges federal, state, local, tribal, and territorial, officials, to prevent and mitigate the dangers of emerging Generative Artificial Intelligence (GAI) and deepfake technology in tech-facilitated abuse involving students.	Adopted

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PIPELINE
COMMISSION ON
HISPANIC LEGAL
RIGHTS AND
RESPONSIBILITIES
COMMISSION ON
SEXUAL
ORIENTATION AND
GENDER IDENTITY
STANDING COMMITTEE
ON PUBLIC
EDUCATION

509

CRIMINAL JUSTICE
SECTION
SECTION OF CIVIL
RIGHTS AND SOCIAL
JUSTICE

Urges state and local prosecutors and law enforcement officers to exercise their prosecutorial discretion to investigate and, where probable cause exists, prosecute federal officials who violate applicable state laws while acting outside the legitimate and reasonable scope of their federal authority.

Adopted
As Amended[†]

510

CRIMINAL JUSTICE
SECTION
SECTION OF CIVIL
RIGHTS AND SOCIAL
JUSTICE

Urges the President and all Executive Branch officials to safeguard the independence of the U.S. Department of Justice by ensuring that investigative and prosecutorial decisions are free from political influence; urges federal, state, local, territorial, and tribal officials to reaffirm that prosecutorial decisions are made free from partisan,

Adopted

[†] See attached.

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political or personal influence; and encourages all jurisdictions to adopt formal policies that explicitly prohibit initiating, directing, or restraining prosecutions for political purposes.

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| <u>511</u> | CRIMINAL JUSTICE SECTION
SECTION OF CIVIL RIGHTS AND SOCIAL JUSTICE | Urges state, local, territorial, and tribal governments to adopt survivor-centered diversion programs within the criminal legal system, with a particular focus on women of color, especially Black women, who are survivor-defendants facing prosecution. | Adopted |
| <u>512</u> | CRIMINAL JUSTICE SECTION
SECTION OF CIVIL RIGHTS AND SOCIAL JUSTICE | Urges the United States Department of Justice to adopt a formal policy for coordination of resolution penalties in parallel and/or joint investigations and proceedings for individuals arising from the same misconduct. | Adopted |
| <u>600</u> | STANDING COMMITTEE ON PARALEGALS | Grants approval to two programs, reapproval to eight programs, withdraws the approval of three programs at the requests of the institutions, and extends the term of approval to 28 programs. | Adopted |

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<u>601</u>	STANDING COMMITTEE ON SPECIALIZATION	Grants reaccreditation to the Civil Practice Advocacy program, the Patent Litigation program, and the Complex Litigation program of the National Board of Trial Advocacy for a five-year term.	Adopted
<u>602</u>	STANDING COMMITTEE ON LAWYER REFERRAL AND INFORMATION SERVICE	Urges state, local, and affinity bar associations to include on their summonses the website address or link to a court-maintained webpage that provides up-to-date contact information for lawyer referral and information services and legal aid organizations.	Adopted As Revised‡
603	CENTER FOR HUMAN RIGHTS	Urges the United States government to: 1) support in principle the Draft Articles on Prevention and Punishment of Crimes Against Humanity approved by the United Nations General Assembly in December 2024 (the "Convention"); 2) fully participate in negotiating the terms of a convention based on that draft; and 3) support civil society's participation in those negotiations.	Withdrawn

‡ See attached.

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| <u>604</u> | STANDING COMMITTEE
ON GUN VIOLENCE
SECTION OF CIVIL
RIGHTS AND SOCIAL
JUSTICE | Urges Congress to repeal the Protect of Lawful Commerce in Arms Act, codified at 15 U.S.C. §§ 7901–7903 (“PLCAA”), which conveys special legal immunity to the firearms industry ; and supports the enactment of state laws that set standards of responsible conduct for holders of Federal Firearms Licenses (“FFLs”) and other gun companies; and that provide paths for litigation for knowing failures to comply. | Adopted |
| <u>605</u> | STANDING COMMITTEE
ON PUBLIC
PROTECTION IN THE
PROVISION OF LEGAL
SERVICES
STANDING COMMITTEE
ON PROFESSIONAL
REGULATION | Amends the American Bar Association Model Rules for Lawyers’ Fund for Client Protection and related commentary. | Adopted |
| <u>606</u> | COMMISSION ON
DOMESTIC & SEXUAL
VIOLENCE
SECTION OF CIVIL
RIGHTS AND SOCIAL
JUSTICE
COMMISSION ON
IMMIGRATION | Urges Congress to adopt H.R. 2851 cited as the “Working for Immigrant Safety and Empowerment Act of 2023” or similar legislation, which extends immigration and public benefits to survivors of domestic violence, sexual violence, and other forms of gender-based violence. | Adopted |

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<u>607</u>	COMMISSION ON IMMIGRATION SECTION OF CIVIL RIGHTS AND SOCIAL JUSTICE	Supports the authority of state, local, tribal and territorial governments to enact laws limiting their participation in federal immigration law enforcement efforts, without fear of federal retaliation.	Adopted
<u>700</u>	NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS	Approves the Uniform Assignment for Benefit of Creditors Act, promulgated by the National Conference of Commissioners on Uniform State Laws (NCCUSL), as an appropriate Act for those states desiring to adopt the specific substantive law suggested therein.	Adopted
<u>701</u>	NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS	Approves the Uniform Judicial Interview of Children Act, promulgated by the National Conference of Commissioners on Uniform State Laws (NCCUSL), as an appropriate Act for those states desiring to adopt the specific substantive law suggested therein.	Adopted
<u>702</u>	THOMAS W. LYONS III, ABA MEMBER WILLIAM D. JOHNSTON, ABA MEMBER	Supports and encourages free, open, and civil discussion and debate on legal and policy issues among ABA Members and recognizes that there is	Adopted As Revised [§]

[§] See attached.

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value in having lawyers with a wide range of different views participate meaningfully in ABA leadership, programming, policy, and advocacy.

402

**GUAM BAR
ASSOCIATION**

Urges the Executive Branch to stop leasing activities for commercial deep-sea mining of outer continental shelf minerals offshore in U.S. territories, respect territorial moratoria and legislative opposition, and ensure that no ocean industrialization proceeds without the free, prior, and informed consent of Indigenous and local communities.

Adopted